

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DANIEL GRIFFON,

Plaintiff,

v.

MUNICIPALITY OF KINGSTON,  
PAUL KEATING, KEITH KEIPER,  
KINGSTON CIVIL SERVICE  
COMMISSION, JOHN JUDGE,  
FRED CASE, and NANCY COOPER,

Defendants.

CIVIL ACTION NO. 3:09-CV-2290

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

Presently before the Court is Defendants' Motion for Summary Judgment (Doc. 29) filed on May 17, 2010, with a brief in support both filed that same day (Doc. 36). Local Rule of Court 7.6 requires that "[a]ny party opposing any motion shall file a brief in opposition, together with any opposing affidavits, transcripts or other documents, within fourteen (14) days after service of the movant's brief. . . . Any party who fails to comply with this rule shall be deemed not to oppose such a motion." Plaintiff's brief in opposition, therefore, was due on or before June 1, 2010.

Although the deadline for filing an opposing brief has passed, Plaintiff has neither filed a brief in opposition to the Defendants' motion, nor requested an extension of time in which to do so. Based on Plaintiff's failure to take any action in response to Defendants' motion, it would appear that Plaintiff may have abandoned interest in pursuing this matter. However, the Court will grant additional time for the Plaintiff to respond to the motion and directs him to respond within fourteen (14) days. If Plaintiff fails to oppose the motion or otherwise

communicate with the Court within fourteen (14) days of the date of this Order, the Court may consider the motion unopposed and grant it without a merits analysis.

**NOW**, this 29th day of June, 2010, **IT IS HEREBY ORDERED THAT** Plaintiff shall file a brief in opposition to Defendants' Motion for Summary Judgment. (Doc. 29.) If Plaintiff fails to timely oppose this Motion or otherwise communicate with the Court, the Court may grant the unopposed motion without a merits analysis.

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/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge